

ASSEMBLY BILL

No. 739

Introduced by Assembly Member Laird

February 22, 2007

An act to add Section 13383.7 to the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 739, as introduced, Laird. Stormwater discharge.

Under existing law, the State Water Resources Control Board and the California regional water quality control boards prescribe waste discharge requirements for the discharge of stormwater in accordance with the national pollutant discharge elimination system (NPDES) permit program established by the federal Clean Water Act and the Porter-Cologne Water Quality Control Act.

This bill would require the state board to develop a comprehensive framework for assessing the effectiveness, as measured by receiving water quality, of stormwater management programs undertaken in accordance with those laws. The bill would require the state board and the regional boards to include requirements for evaluating and reporting on program effectiveness in stormwater permits.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) It is the intent of the Legislature to ensure that any grants
- 4 made for the reduction and prevention of stormwater contamination

1 of rivers, lakes, and streams from proceeds of the Safe Drinking
2 Water, Water Quality and Supply, Flood Control, River and Coastal
3 Protection Bond Act of 2006 (Division 43 (commencing with
4 Section 75001) of the Public Resources Code) be consistent with
5 the state priorities for stormwater pollution prevention.

6 (b) The federal Clean Water Act requires the regulation of
7 stormwater discharges under the national pollutant discharge
8 elimination system (NPDES) permit program. The State Water
9 Resources Control Board and the California regional water quality
10 control boards have been designated by the United States
11 Environmental Protection Agency to implement the NPDES
12 stormwater program.

13 (c) Stormwater discharges are generated by runoff from land
14 and impervious areas such as paved streets, parking lots, and
15 building rooftops during rainfall and snow events that often contain
16 pollutants in quantities that could adversely affect water quality.

17 (d) The United States Environmental Protection Agency
18 considers urban stormwater pollution a serious source of
19 contamination in the nation's waters. Most of this state's population
20 lives in urban and coastal areas where the water resources are
21 highly vulnerable and can be severely degraded by urban runoff
22 if it is not managed. Developing a comprehensive institutional
23 framework to link all levels of government can facilitate better
24 stormwater management.

25 (e) The State Water Resources Control Board should provide
26 state oversight for stormwater management, including guidance,
27 priorities, technical assistance, evaluation of program effectiveness,
28 and funding that supports effective stormwater management.

29 (f) New stormwater management practices, including low-impact
30 development and green techniques, should be promoted that
31 incorporate features such as permeable surfaces and retention of
32 the natural hydrologic character of a development site.

33 (g) Therefore, it is the intent of the Legislature to enact
34 legislation to describe the priorities and criteria for the award of
35 stormwater grants authorized under the Safe Drinking Water, Water
36 Quality and Supply, Flood Control, River and Coastal Protection
37 Bond Act of 2006.

38 SEC. 2. Section 13383.7 is added to the Water Code, to read:

39 13383.7. The state board shall develop a comprehensive
40 framework for assessing the effectiveness, as measured by

1 receiving water quality, of stormwater management programs
2 undertaken in accordance with Section 1342(p) of Title 33 of the
3 United States Code. Consistent with the framework adopted by
4 the state board, the state board and the regional boards shall include
5 requirements for evaluating and reporting on program effectiveness
6 in stormwater permits issued in accordance with Section 1342(p)
7 of Title 33 of the United States Code and this division.

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